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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/218,060	12/21/1998	SLOVAK ONDREJ SUCH	777.162US1	3598

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EXAMINER

ANYA, CHARLES E

ART UNIT PAPER NUMBER

2151

DATE MAILED: 09/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/218,060

Applicant(s)

SUCH, SLOVAK ONDREJ

Examiner

Charles E Anya

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,764,958 to Coskun in view of applicant's admitted prior art (hereinafter referred to as APA, pages 12 – 16).

As to claim 1, Coskun teaches a Dynamic Object Storage Scheme (List Object 80, Col. 3, Ln. 63 – 66), a Plurality of Objects (Person Object 82, Student Object 84, Teacher Object 86, Col. 3, Ln. 63 – 66), a Dynamic Dispatch Scheme (Message Router 56, Col. 3, Ln. 5 – 10), an Action (Method 48, Col. 3, Ln. 5 – 10), a Plurality of Categories (Methods 44 – 54, Col. 3, Ln. 5 – 7), needing one object, needing more than object or needing no object (Object 40, Col. 3, Ln. 5 – 10), an Object recognition Scheme (Class Description, Col. 3, Ln. 21 – 25) and a determination of whether an object described by the description fits an application programming interface (“...available object methods...”, Col. 3, Ln. 21 – 25).

Coskun does not teach an asynchronous programming environment.

APA teaches Asynchronous Programming Environment (Asynchronous Programming Technique, page 14, Ln. 24 – 25). It would have been obvious to apply the teaching of Asynchronous Programming Technique.

APA to the system of Coskun. One would have been motivated to make such a modification to provide symmetric multithreading.

As to claim 3, Coskun teaches a Series of Token and an Attribute (Col. 3, Ln. 21 – 25).

As to claim 4, Coskun is silent with reference to unpacked-message-events. APA teaches Unpacked-Message-events (Microsoft Windows Procedure, page 12, Ln. 21 – 25, page 13, Ln. 1 – 6). It would have been obvious to apply the teaching of APA to the system of Coskun. One would have been motivated to make such a modification to provide less fragile asynchronous programming environment (page 16, Ln. 13 – 17).

As to claim 5, see the rejection of claim 1.

As to claim 6, see the rejection of claim 2.

As to claim 7, see the rejection of claim 3.

As to claim 8, see the rejection of claim 4.

As to claim 9, claim 1 meets claim 9 except for a processor and a computer-readable medium.

Coskun teaches a Processor (Central Processing Unit 10, Col. 2, Ln 47 – 50) and a Computer-readable Medium (Random Access Memory (RAM) 14, Read Only Memory (ROM) 16, Col. 2, Ln. 52 – 55).

As to claim 10, see the rejection of claim 2.

As to claim 11, see the rejection of claim 3.

As to claim 12, see the rejection of claim 4.

As to claim 13, see the rejection of claim 9.

As to claim 14, see the rejection of claim 9.

As to claim 15, see the rejection of claim 2.

As to claim 16, see the rejection of claim 3.

As to claim 17, see the rejection of claim 4.

As to claim 18, Coskun is silent with regards to a compact disc read only memory (CD-ROM), however, it could have obvious to include a CD-ROM because the I/O adapter 18 is adapted for connecting any peripheral device (Col. 2, Ln. 52 – 61).

As to claim 19, Coskun teaches a Floppy Disk (Disk Unit 20, Col. 2, Ln. 52 – 61).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,764,958 to Coskun in view of APA as applied to claim 1 above, and further in view of Copeland et. al.

As to claim 2, Coskun as modified does not teach a recyclable locking mechanism.

Copeland teaches a Recyclable Locking Mechanism (Lock Manager, Col. 3, Ln. 40 – 57, Note: The locking and unlocking ability of the lock manager makes it recyclable). It would have been obvious to apply the teaching of Copeland to the system of Coskun. One would have been motivated to make such a modification to provide control on locks on behalf of threads (Col. 3, Ln. 42 – 47).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M - F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya  
Examiner  
Art Unit 2151



ST. JOHN COURTEMAY III  
PRIMARY EXAMINER